

EJC

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	09/966,987	BLOCH ET AL.	
	Examiner	Art Unit	
	Roy M. Punnoose	2877	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendments filed on 9/14/2005.

2.  The allowed claim(s) is/are 2-6,8-11 and 17-26.

3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
    1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

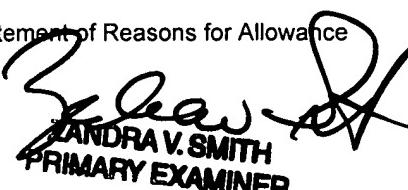
(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
    Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
    Paper No./Mail Date \_\_\_\_\_
- 4.  Examiner's Comment Regarding Requirement for Deposit  
    of Biological Material
- 5.  Notice of Informal Patent Application (PTO-152)
- 6.  Interview Summary (PTO-413),  
    Paper No./Mail Date \_\_\_\_\_.
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_\_.



SANDRA V. SMITH  
PRIMARY EXAMINER

## **DETAILED ACTION**

### ***Response to Amendment***

1. Acknowledgement is made of applicant's amendment filed on September 14, 2005. The Examiner has accepted the amendments and the remarks/arguments presented by the applicant.
2. The applicant has amended claims 2-6, 10-11, and cancelled claims 1, 7, 27 and 28. Claims 12-16 have been cancelled previously. Currently claims 2-6, 8-11 and 17-26 are pending in the application.

### ***Allowable Subject Matter***

3. Claims 2-6, 8-11 and 17-26 are allowable.
4. Claims 8 and 24 are allowable because the prior art of record, taken alone or in combination, fails to disclose or render obvious an apparatus and method for measuring characteristics of a hole comprising a movable mirror and an optical splitter for directing light from a light source, in combination with the rest of the limitations of the respective claims.
5. Claims 2-6, 9-11 and 25 are allowable because they are dependent on independent claims 8 or 24, or an intermediate claim, and they include all the allowable limitations of the parent claim(s).
6. Claim 17 is allowable because the prior art of record, taken alone or in combination, fails to disclose or render obvious a method for measuring the characteristics of a hole comprising the step of moving the optical fiber in a radial direction, in combination with the rest of the limitations of claim 17.
7. Claims 18-23 and 26 are allowable because they are dependent on independent claim 17, or an intermediate claim, and they include all the allowable limitations of the parent claim(s).

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8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Roy M. Punnoose** whose telephone number is **571-272-2427**. The examiner can normally be reached on 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Gregory J. Toatley, Jr.** can be reached on **571-272-2800 ext.77**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Roy M. Punnoose**  
Patent Examiner  
Art Unit 2877  
September 29, 2005

**Gregory J. Toatley, Jr.**  
Supervisory Patent Examiner

*Zandra V. Smith*  
**ZANDRA V. SMITH**  
**PRIMARY EXAMINER**  
*S/30/05*